

#4

|   |                               |                |
|---|-------------------------------|----------------|
| <b>DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION</b><br><b>(37 CFR 1.63)</b><br><br><input type="checkbox"/> Declaration Submitted With Initial Filing <b>OR</b> <input checked="" type="checkbox"/> Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required) | <b>Attorney Docket Number</b> | P0037US00      |
|   | <b>First Named Inventor</b>   | Downs          |
|   | <b>COMPLETE IF KNOWN</b>      |                |
|   | <b>Application Number</b>     | 09/810,020     |
|   | <b>Filing Date</b>            | March 16, 2001 |
|   | <b>Group Art Unit</b>         | 1743           |
|   | <b>Examiner Name</b>          |                |

**As a below named inventor, I hereby declare that:**

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Method and Apparatus for Performing Multiple Processing Steps on a Sample in a Single Vessel

the specification of which (Title of the Invention)

☐ is attached hereto

OR

☒ was filed on (MM/DD/YYYY) 3/16/2001 as United States Application Number or PCT International

Application Number 09/810,020 and was amended on (MM/DD/YYYY)  (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims as amended specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or of any PCT international application having a filing date before that of the application on which priority is claimed.


| Prior Foreign Application Number(s) | Country | Foreign Filing Date (MM/DD/YYYY) | Country | Priority Not Claimed     | Certified Copy Attached? |                          |
|-------------------------------------|---------|----------------------------------|---------|--------------------------|--------------------------|--------------------------|
|                                     |         |                                  |         |                          | YES                      | NO                       |
|                                     |         |                                  |         | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|                                     |         |                                  |         | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|                                     |         |                                  |         | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|                                     |         |                                  |         | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

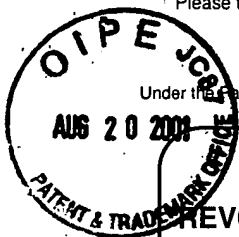
☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:



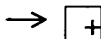
#69

## DECLARATION — Utility or Design Patent Application

|   |  |  |  |             |   |
|---|--|--|--|-------------|---|
| Direct all correspondence to:   |  | <input checked="" type="checkbox"/> Customer Number<br>or Bar Code Label |  | OR          | <input type="checkbox"/> Correspondence address below |
| 29490<br>PATENT & TRADEMARK OFFICE  |  |  |  |             |   |
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| Country   |  | Telephone  |  | Fax         |   |
| I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. |  |  |  |             |   |
| NAME OF SOLE OR FIRST INVENTOR:   |  |  | <input type="checkbox"/> A petition has been filed for this unsigned inventor      |             |   |
| Given Name<br>(first and middle [if any]) Robert Charles  |  |  | Family Name<br>or Surname Downs  |             |   |
| Inventor's<br>Signature <i>Robert Charles Downs</i>   |  |  | Date 8-14-01   |             |   |
| 5795 La Jolla Corona Drive  |  | CA   | USA  | USA         |   |
| Residence: City   |  | State  | Country  | Citizenship |   |
| Mailing Address   |  |  |  |             |   |
| City  |  | State  | Zip  | Country     |   |
| NAME OF SECOND INVENTOR:  |  |  | <input type="checkbox"/> A petition has been filed for this unsigned inventor      |             |   |
| Given Name<br>(first and middle [if any])   |  |  | Family Name<br>or Surname  |             |   |
| Inventor's<br>Signature   |  |  | Date   |             |   |
| Residence: City   |  | State  | USA  | Citizenship |   |
| Country   |  | Citizenship  |  |             |   |
| Mailing Address   |  |  |  |             |   |
| City  |  | State  | Zip  | Country     |   |
| <input type="checkbox"/> Additional inventors are being named on the _____ supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.   |  |  |  |             |   |



Please type a plus sign (+) inside the box



PTO/SB/82 (10-00)  
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# REVOCATION OF POWER OF ATTORNEY OR AUTHORIZATION OF AGENT

|                        |                |
|------------------------|----------------|
| Application Number     | 09/810,020     |
| Filing Date            | March 16, 2001 |
| First Named Inventor   | Downs          |
| Group Art Unit         |                |
| Examiner Name          |                |
| Attorney Docket Number | PR0037US00     |

I hereby revoke all previous powers of attorney or authorizations of agent given in the above-identified application:

☒ A Power of Attorney or Authorization of Agent is submitted herewith.

OR

☐ Please change the correspondence address for the above-identified application to:

☐ Customer Number



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Individual Name

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I am the:

☐ Applicant/Inventor.

☒ Assignee of record of the entire interest. See 37 CFR 3.71.  
*Certificate under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)*

## SIGNATURE of Applicant or Assignee of Record

Name

IRM, LLC.

Signature

*J. Reuben*

*BA 21*

Date

*Aug 3, 2001*

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.

☐ \*Total of \_\_\_\_\_ forms are submitted.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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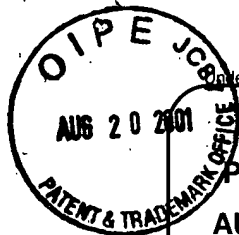


PTO/SB/81 (02-01)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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# POWER OF ATTORNEY OR AUTHORIZATION OF AGENT

|                        |                |
|------------------------|----------------|
| Application Number     | 09/810,020     |
| Filing Date            | March 16, 2001 |
| First Named Inventor   | Robert Downs   |
| Group Art Unit         |                |
| Examiner Name          |                |
| Attorney Docket Number | PR0037US00     |

I hereby appoint:

☒ Practitioners at Customer Number

OR

☐ Practitioner(s) named below:

| Name |  |
|------|--|
|      |  |
|      |  |
|      |  |
|      |  |



29490

PATENT & TRADEMARK OFFICE

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the Patent and Trademark Office connected therewith.

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I am the:

☐ Applicant/Inventor.

☒ Assignee of record of the entire interest. See 37 CFR 3.71.

Certificate under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

## SIGNATURE of Applicant or Assignee of Record

Name IRM, LLC

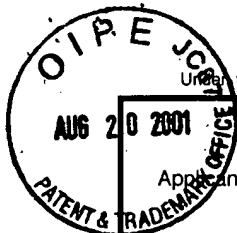
Signature

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☐ \*Total of forms are submitted.

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**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: IRM, LLC

Application No./Patent No.: 09/810,020

Filed/Issue Date: March 16, 2001

Entitled: Method and Apparatus for Performing Multiple Processing Steps on a Sample in a Single Vessel

IRM

a Limited Liability Corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of an undivided part interest

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

- ☒ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.8]

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.

Aug 3, 2001  
Date

J. Reinhardt B.A. 21  
Signature  
J. Reinhardt B.Aebische  
Typed or printed name  
President Secretary  
Title

## **ASSIGNMENT**

In return for good and valuable consideration paid to the undersigned inventor(s) (hereafter called the "ASSIGNOR"), by:

IRM, LLC.

c/o Sofia House

48 Church Street

Hamilton, Bermuda

(hereinafter ASSIGNEE), the receipt of which is hereby acknowledged, the undersigned ASSIGNOR(s) hereby sells, assigns and transfers to ASSIGNEE his entire right, title and interest to the invention entitled:

METHOD AND APPARATUS FOR PERFORMING MULTIPLE

PROCESSING STEPS ON A SAMPLE IN A SINGLE VESSEL

For which application for Letters Patent of the United States was filed on March 16, 2001 Serial No. 09/810,020.

And all Letters Patent of the United States to be obtained therefor on said application or any continuation, divisional, substitute, reissue or reexamination thereof for the full term or terms for which the same may be granted.

The ASSIGNOR(s) agrees to execute all papers necessary in connection with the application and any continuation, divisional, substitute, reissue or reexamination applications thereof or corresponding foreign applications, and also to execute separate assignments in connection with such applications as the ASSIGNEE may deem necessary or expedient and perform any act which may be necessary in connection with claims or provisions of the International Convention for Protection of Industrial Property or similar agreements.

The ASSIGNOR(s) agrees to execute all papers necessary in connection with any interference, litigation, or other legal proceeding, which may be declared concerning this application or any continuation, divisional, substitute, reissue or reexamination thereof, or corresponding foreign applications, and also to cooperate with the ASSIGNEE in every way possible in obtaining evidence and going forward with such interference, litigation, or other legal proceeding.

The ASSIGNOR(s) agree to perform all affirmative acts which may be necessary to obtain a grant of valid United States or foreign patents to the Assignee.

The ASSIGNOR(s) hereby authorizes and requests the Commissioner of Patents and the authorities of foreign country to issue any and all Letters Patents resulting from said application

or any continuation, divisional, substitute, reissue or reexamine applications thereof, or foreign applications, to the said ASSIGNEE, as assigned of the entire interest, and hereby covenants that it has full right to convey the entire interest herein assigned, and that they have not executed and will not execute, any agreement in conflict herewith.

The ASSIGNOR(s) hereby grant TIMOTHY L. SMITH, Reg. No. 35,367 and all other attorneys employed by The Genomics Institute of the Novartis Research Foundation, which has a business address of 3115 Merryfield Row, San Diego, CA 92121-1125, the power to insert on this assignment any further identification which may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document.

WITNESS my hand at San Diego, CA, this 13<sup>th</sup> day of August, 2001.

Robert C. Downs  
Robert C. Downs

STATE OF CALIFORNIA     )  
  )     ss.  
COUNTY OF SAN DIEGO    )

On August 13<sup>th</sup>, 2001, before me, the undersigned Notary Public, personally appeared Robert C. Downs.

✓ personally known to me

or

                     proved to me on the basis of satisfactory evidence

to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon before of which the person acts, executed the instrument.

WITNESS my hand and official seal.



Veronica Riesett  
Notary Public